REMARKS

Reconsideration of this application, as amended, is respectfully requested.

Claim 4 has been objected to for informalities. Claims 1-7 and 11-12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 5,659,573 by Bruckert et al. ("Bruckert") in view of U.S. Pat. No. 6,069,902 by Kurano et al. ("Kurano"). Claims 13-20 and 24-27 are rejected under 35 U.S.C. § 102(e) as being anticipated by Bruckert. Claims 28-30 are allowed. Claims 8-10 and 21-23 are objected to as being dependent upon a rejected base claim, but would be allowed if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 4 has been amended. No claims have been added and no claims have been deleted.

Claim Objections

The Examiner has objected to claim 4 on informalities because the Examiner states in claim 4, line 2, after "configured to," "filtered" should be changed to "filter." Applicant amended claim 4 by deleting the word "filtered" and replacing it with the word "filter" for the purpose of making the claim grammatically correct. Applicant submits that claim 4, as amended, overcomes the above objection.

Claim Rejections – 35 U.S.C. § 103

The Examiner rejected claims 1-7 and 11-12 under 35 U.S.C. § 103(a) as being unpatentable over Bruckert in view of Kurano. The Examiner states:

As per claim 1, <u>Bruckert teaches</u> a system for packet arrival time detection (see abstract), comprising: a receiver configured to receive a signal (see col 6, lines 33-35, Fig. 1); the receiver, configured to produce a packet arrival time output (see col 7, lines 1-4, lines 27-36); and <u>a power estimator, coupled to the receiver, configured to estimate the power in the received signal and provide the estimated power to validate the packet arrival time output</u> (see col 7, line 60-col 8, line 7, col 12, lines 16-63).

As per claims 1, and 11, <u>Bruckert does not specifically teach that "a packet arrival time detector" as in the above claims.</u>

Kurano teaches a method for receiving a broadcast, wherein the recording/reproducing apparatus includes an arrival time detector 30 (see col 7, lines 12-15, ele. 30, Fig. 4).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to allow Bruckert's system to make use of Kurano's teachings to include a packet arrival time detector, because it ensures the system to validate its calculated signal arrival time and to enable detection of signal arrival, thus, providing lower sensitivity to false alarms.

(Office Action dated July 9, 2003, page 3) (emphasis added)

However, applicant respectfully submits that claim 1 is not obvious under 35

U.S.C. § 103(a) in view of the combination of Bruckert and Kurano. Claim 1 states the

following:

"A system for packet arrival time detection, comprising: ... <u>a power estimator</u>, ..., <u>configured to</u> estimate the power in the received signal and <u>provide the estimated power to packet arrival time detector to validate the packet arrival time output</u>."

(emphasis added)

Applicant asserts that Bruckert does not disclose or suggest a power estimator

configured to provide an estimate of power in the received signal to the packet arrival

time detector to validate the packet arrival time. The Office Action acknowledges that

Bruckert does not teach "a packet arrival time detector." (Office Action, page 3, lines7-

8). Further, Bruckert does not disclose or suggest validation of the packet arrival time

of the received signal. The Examiner cites Bruckert, in col. 7, line 60 – col. 8 line 7 and

col. 12, lines 16-63 as disclosing this limitation. Yet, Bruckert is completely silent about validation of the packet arrival time. Bruckert discloses techniques used to calculate the power estimate of a signal. (Col. 7, line 60 – col. 8 line 7). The power estimate is sent to the timing control unit 176 to compensate both for drift in the control timing having a slower rate of change and for a timing change at a relatively faster rate of change. (Col. 12, lines 40-49). Bruckert describes timing control compensation for slow timing drift and fast fading based on a power estimate derived from the stream of reference samples and/or the stream of data samples. (Abstract Paragraph). However, Bruckert does not disclose or suggest a power estimator to validate the packet arrival time. Bruckert's use of the power estimate to control timing does not disclose or suggest a power estimator configured to provide an estimate of power in the received signal to validate the packet arrival time.

The Office Action states Kurano discloses a method for receiving a broadcast, wherein the recording/reproducing apparatus includes an arrival time detector. (Office Action, page 3, lines 9-10). However, applicant asserts that Kurano does not disclose or suggest a power estimator configured to provide an estimate of power in the received signal to the packet arrival time detector to validate the packet arrival time. First, Kurano does not disclose or suggest a power estimator to power estimate the received signal. Kurano is completely silent on the existence of a power estimator. If a reference does not discuss a limitation, that reference cannot disclose or suggest that limitation. Also, Kurano does not disclose or suggest any validation of the packet arrival time output. Kurano simply uses the arrival time detector, without validation, to signal the time stamp generator to generate a time stamp. (Col. 7, lines 31-36). Neither Kurano nor Bruckert discloses validation of the packet arrival time. Further, because

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Kurano only discloses an arrival time detector, combining Kurano with Bruckert would

not disclose or suggest a power estimator configured to provide an estimate of power in

the received signal to the packet arrival time detector to validate the packet arrival time

output. Thus, neither Kurano nor Bruckert, individually or in combination, discloses or

suggests all of the limitations stated in claim 1. Therefore, independent claim 1 is not

obvious under 35 U.S.C. § 103(a) in view of the combination of Bruckert and Kurano.

Claims 2-7, 11, and 12 depend from and include the limitations of claim 1. Therefore,

claims 2-7, 11, and 12 are not obvious under 35 U.S.C. § 103(a) in view of the

combination of Bruckert and Kurano.

Claim Rejections – 35 U.S.C. § 102

The Examiner rejected claims 13-20 and 24-27 under 35 U.S.C. § 102(e) as

being anticipated by Bruckert. The Examiner states that Bruckert discloses the

following:

> As per claims 13 and 27, Bruckert teaches a method and a system for
> packet arrival time detection (see abstract), comprising: receiving a signal
> (see col 6, lines 33-35, Fig. 1); processing the received signal to produce
> a packet arrival time output (see col 7, lines 1-4, lines 27-36); processing
> the received signal to produce an estimate the power and validating the
> packet arrival time output using the estimated power (see col 7, line 60-col
> 8, line 7, col 12, lines 16-63).

(Office Action dated July 9, 2003, page 5).

However, applicant respectfully submits that independent claim 13 is not

anticipated under 35 U.S.C. § 102(e) by Bruckert. Claim 13 states the following:

> A method for packet arrival time detection, comprising the steps of: receiving
> a signal; processing the received signal to produce a packet arrival time
> output; processing the received signal to produce an estimated power; and
> validating the packet arrival time output using the estimated power.

(emphasis added)

As discussed above, the Office Action acknowledges that Bruckert does not teach "a packet arrival time detector." (Office Action, page 3, lines7-8). Further, Bruckert does not disclose or suggest validation of the packet arrival time of the received signal. Timing control compensation does not disclose or suggest processing the received signal to produce a packet arrival time output and validating the packet arrival time output. Thus, Bruckert does not disclose or suggest "validating the packet arrival time output using the estimated power." Thus, Bruckert does not disclose or suggest all the limitations of claim 13.

Therefore, independent claim 13 is not anticipated under 35 U.S.C. § 102(e) by Bruckert. Claims 14-26 depend from and include the limitations of claim 13. Therefore, claims 14-26 are not anticipated under 35 U.S.C. § 102(e) by Bruckert.

Applicant respectfully submits that independent claim 27 is not anticipated under 35 U.S.C. § 102(e) by Bruckert. Claim 27 states the following:

> A system for packet arrival detection, comprising: means for receiving a signal; means for processing the received signal to produce a packet arrival time output; means for processing the received signal to produce an estimated power; and means for validating the packet arrival time output using the estimated power.

(emphasis added)

As discussed above, the Office Action acknowledges that Bruckert does not teach "a packet arrival time detector." (Office Action, page 3, lines7-8). Further, Bruckert does not disclose or suggest validation of the packet arrival time of the received signal. Thus, Bruckert does not disclose or suggest "validating the packet

arrival time output using the estimated power." Thus, Bruckert does not disclose or suggest all the limitations of claim 27.

Therefore, independent claim 27 is not anticipated under 35 U.S.C. § 102(e) by Bruckert.

Applicant respectfully submits that in view of the amendments and remarks set forth herein, the rejections and objections have been overcome. Applicant reserves all rights with respect to the application of the doctrine equivalents. The applicant submits that the present application with claims 1-30 are in condition for allowance. Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Applicant also submits a Power of Attorney and Revocation of Previous Powers with this response. If the Examiner has any questions, please feel free to call me at 408-720-8300. Please charge any shortages and credit any overcharges to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated:_____, 2003   _____
                                   Thomas S. Ferrill
                                   Registration No. 42,532

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1026
(408) 720-8300